(Spl.-H.C.A.S.,C.D.,78-e)

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF BOMBAY AT GOA
APPELLATE SIDE

CRIMINAL WRIT PETITION NO. 40 OF 2004

Office Note, Office Memoranda of Quorum, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's Orders

Mr. R. Satardekar, advocate for the petitioner.

Mr. A.N.S. Nadkarni, Advocate General with Mr. P.A. Kamat, Government Advocate for respondent no.1.

CORAM : B. H. MARLAPALLE &
N. A. BRITTO, JJ.

DATE : 6th September, 2004

P.C.:

Heard Mr. Satardekar, learned counsel for the petitioner, against whom crime has been registered in respect of the suicidal death of his wife. It is his allegation in this petition that while he was in police custody respondent no.36 has snapped some photographs of his.

2. However, respondent no.4 as well as respondent no.36 have filed affidavit in reply and specifically averred that at no

point of time any such photographs were taken. The learned advocate referred to the provisions of Sections 4 and 5 of the Identification of Prisoners Act, 1920, as well as the Rules framed thereunder. We are satisfied that the debate is academic and there is no cause of action to entertain the petition, at least at this stage.

3. In case the petitioner is aggrieved by any such action of the concerned police officer, he may seek appropriate remedy in law.

4. The petition is summarily rejected.

B. H. MARLAPALLE, J.

N. A. BRITTO, J.

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